

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

|   |   |                          |
|---|---|--------------------------|
| CONSOLIDATION COAL COMPANY,             | ) |                          |
|   | ) |                          |
| Plaintiff,                              | ) |                          |
|   | ) |                          |
| v.                                      | ) |                          |
|   | ) |                          |
| UNITED STATES DEPARTMENT OF THE         | ) |                          |
| INTERIOR, NATIONAL PARK SERVICE, et al. | ) |                          |
|   | ) | CIVIL ACTION No. 00-2120 |
| Defendants                              | ) |                          |
| _____                                   | ) |                          |
|   | ) |                          |
| ROY BRENDDEL and DIANE BRENDDEL         | ) |                          |
|   | ) |                          |
| Third-Party Plaintiffs,                 | ) |                          |
|   | ) |                          |
| v.                                      | ) |                          |
|   | ) |                          |
| UNITED STATES DEPARTMENT OF THE         | ) |                          |
| INTERIOR, NATIONAL PARK SERVICE, et al. | ) |                          |
|   | ) |                          |
| Third-Party Defendants                  | ) |                          |

**ORDER OF DISMISSAL WITH PREJUDICE**

The attached Stipulation of Dismissal With Prejudice is approved and this action is dismissed with prejudice and the action is discontinued.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
David Stewart Cercone  
United States District Judge